

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4261

IN THE MATTER OF:

Served March 22, 1994

Application of AIRPORT EXPRESS,)
INC., for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-94-11

By application filed March 21, 1994, Airport Express, Inc. (AEI or applicant), a District of Columbia corporation, seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

The application includes information regarding, among other things, applicant's corporate status, facilities, proposed tariff, finances, and regulatory compliance record. The application is available for inspection at the office of the Commission during its regular business hours.

Applicant proposes commencing operations with a 7-passenger van. Applicant's proposed tariff contains per capita fares from points in Montgomery County, MD, to Washington National Airport or Washington Dulles International Airport.

Applicant has not requested baggage authority even though airport transfer passengers normally carry luggage. Applicant will be directed to file a statement expressly requesting or declining authority to transport baggage in the same vehicles as passengers. In addition, it is noted that applicant's tariff is one-directional -- from Montgomery County to the airports. If applicant intends to offer service in both directions, it may file an amended proposed tariff at the same time it files the statement concerning baggage.

In determining whether to grant or deny an application for a certificate of authority, the Compact at Title II, Article XI, Section 7 requires that the Commission determine whether an applicant is fit, willing, and able to perform the transportation properly and conform to the provisions of the Compact and the Commission's rules, regulations, and requirements and whether the transportation is consistent with the public interest. Pursuant to Commission Rule No. 6, this order and fulfillment of its requirements will provide notice of AEI's application for a certificate of authority.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than Friday, April 1, 1994, notice in the form prescribed by the staff of the Commission.

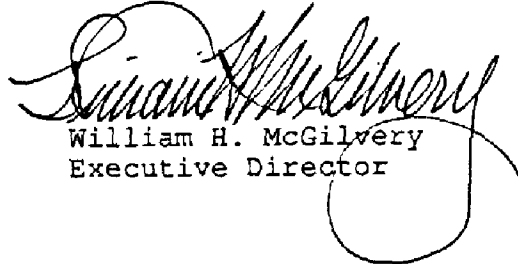
2. That applicant shall file with the Commission, no later than Friday, April 1, 1994, an original and four copies of a statement expressly requesting or declining authority to transport baggage in the same vehicles as passengers.

3. That applicant shall file with the Commission, no later than Friday, April 22, 1994, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

4. That any person wanting to protest the application, in accordance with Commission Rule No. 13 and Regulation No. 54-04(a), and any person wanting to comment on the application, in accordance with Regulation No. 54-04(a), shall file such protest or comment at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Friday, April 22, 1994, and shall simultaneously serve a copy of such protest or comment on applicant's representative, Mr. Abebe Sisay, President, Airport Express, Inc., 6735 New Hampshire Ave., Takoma Park, MD 20912.

5. That any person seeking a formal oral hearing on this matter, in accordance with Commission Regulation No. 54-04(b), shall request one no later than Friday, April 22, 1994, and shall simultaneously serve a copy of such request on applicant's representative, Mr. Abebe Sisay, President, Airport Express, Inc., 6735 New Hampshire Ave., Takoma Park, MD 20912.

FOR THE COMMISSION:


William H. McGilvery
Executive Director